

United States District Court**for****Southern District of Ohio****Report on Offender Under Supervision**Name of Offender: **Jordan Benjamin**Case Number: **1:02CR00115**Name of Sentencing Judicial Officer: **The Honorable S. Arthur Spiegel**
United States Senior District JudgeDate of Original Sentence: **April 15, 2003**Original Offense: **Possession of A Firearm by a Convicted Felon, in violation of Title 18 U.S.C., Section 922(g)(1), a Class C Felony.**Original Sentence: **51 month(s) prison, 36 month(s) supervised release**Type of Supervision: **Term Of Supv Rel**Date Supervision Commenced: **November 16, 2006**

STATUS SUMMARY

The offender has complied with the conditions of his bond release, and it is requested that he be restored to Supervised Release.

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
#1	On March 7, 2007, a petition was filed alleging the offender violated the terms of his release by obtaining a new arrest (Unauthorized Use of a Motor Vehicle), and illegal drug use (three positive urines). A warrant was requested and issued on March 13, 2007. Subsequently, the offender was arrested and later appeared for an initial appearance, on March 20, 2007. At that time, the offender waived probable cause and was released on bond. His conditions of release required him to enter the Talbert House Residential Re-entry Center for a period of 120 days. His conditions of supervised release were thereby modified on April 5, 2007. Subsequently, the offender absconded from that program after residing there for less than 60 days. A warrant was issued for his arrest following a petition that was filed on June 11, 2007. The offender was detained in late June 2007, and on July 16, 2007, he appeared before Magistrate Black for an initial appearance. His case was continued until July 23, 2007, pending bond review. On July 23, 2007, the offender was again released on bond, and placed on home confinement with electronic monitoring, pending a violation hearing. Benjamin appeared in Court on September 11, 2007, for the violation hearing before Your Honor. From the time of his release on bond, (July 23, 2007) until he appeared in court before Your Honor, the offender made significant strides

to improve his behavior and had complied with the terms of his release.

Based on his progress, on September 11, 2007, this writer requested that his case be held in abeyance for a period of 90 days, to determine if the offender would continue to comply with his conditions of release.

The violation hearing was never scheduled, and therefore, the offender has been on bond release with the conditions of home confinement since July 23, 2007. Since that time, Benjamin has had two incidents of noncompliance, and in December 2007, he was terminated from the home confinement program for noncompliance. Further review of the instances of noncompliance revealed he incurred alerts based on power failures. He did have one alert that was attributed to his failure to return home on time, as he had an unauthorized visit to his girlfriend's home and returned home after his curfew.

Because the other alerts were beyond the offender's control, he was reinstated on home confinement. Since being reinstated, the offender has complied with all conditions of his release as ordered. All urinalysis taken in his case have returned negative. He is working sporadically, but has continuously sought full time employment.

Based on the fact that he has been appropriately, and proportionately sanctioned for his past noncompliant behavior, it requested that he be restored to supervised release, and the bond condition of home confinement with electronic monitoring be removed.

Should the offender have any further instances of noncompliant behavior, an appropriate sanction and/or hearing will be requested.

U.S. Probation Officer Action: It is respectfully requested that the Court restore the offender to Supervised Release and remove his bond release conditions, specifically home confinement with electronic monitoring.

Respectfully submitted,

by

Michelle Merrett

U. S. Probation Officer

Date: April 18, 2008

Approved,

John Cole

Supervising U. S. Probation Officer

Date: April 18, 2008

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- I concur with the recommendation of the Probation Officer
Submit a Request for Modifying the Condition or Term of Supervision
Submit a Request for Warrant or Summons

Signature of Judicial Officer

X/22/08

Date